

### **Listing of the Claims**

1. (Previously presented) A mobile electronic device network employing provisioning techniques for updating electronic devices, the network comprising:

a customer care center;

a device server capable of dispensing at least one update;

an electronic device having at least one of firmware and software, the electronic device being communicatively coupled to the device server and the customer care center, the electronic device notifying the customer care center to download at least one of firmware and software for subscribed services into the electronic device to enable use of the subscribed services;

an update service in the electronic device, the presence of the update service in the electronic device being determinable by the network, wherein, when enabled, the update service indicates to the network capability of the electronic device to update at least one of firmware and software for the subscribed services, the electronic device employing the at least one update to update the at least one of firmware and software for the subscribed services; and

wherein one or more parameters specific to updating the at least one of firmware and software for the subscribed services in the electronic device are provisioned, during provisioning of a number assignment module (NAM) in the electronic device, by the network.

2. (Original) The network according to claim 1, wherein the device server is adapted to store and dispense a plurality of updates, wherein the at least one update dispensed to the electronic device is selected from the plurality of updates based upon characteristics of the electronic device communicated to the device server.

3. (Previously presented) The network according to claim 2, further comprising:  
scheduling software for at least one update of one of firmware and software for the subscribed services in the electronic device during administration of the NAM parameters by the network.

4. (Original) The network according to claim 3, wherein the network is capable of determining whether the electronic device supports an over-the-air provisioning function, and wherein the electronic device is capable of executing the over-the-air provisioning function, and wherein the over-the-air provisioning function comprises one of a firmware update function and a software update function in the electronic device.

5. (Original) The network according to claim 4, wherein one of the firmware update function and the software update function in the electronic device is invoked based upon one of a firmware update service option and a software update service option provided in the electronic device.

6. (Original) The network according to claim 5, further comprising:

an update agent in the electronic device; and

a network server determining a service option and for permitting the electronic device to initiate over-the-air access to one of the firmware update service option and the software update service option in the electronic device, wherein the network is adapted to employ the means for determining a service option to determine one of an enabled firmware update service option and an enabled software update service option in the electronic device and the network is adapted to invoke the update agent while initializing a number assignment module in the electronic device.

7. (Previously presented) The network according to claim 6, wherein one of the firmware update service option and the software update service option in the electronic device is adapted to be set by the network without user intervention, and wherein the at least one update selected from the plurality of updates is disseminated to the electronic device, and wherein the update agent is invoked in the electronic device for updating the at least one of firmware and software for the subscribed services employing the at least one updates.

8. (Original) The network according to claim 7, further comprising:

over-the-air delivery of the at least one update to the electronic device from a delivery server after determining that one of the firmware update service option and the software update service option in the electronic device is set.

9. (Previously presented) The network according to claim 4, further comprising:  
one of a firmware update service function and a software update service function  
in the electronic device; and  
a network server for facilitating network-initiated over-the-air access to one of the  
firmware update service option and the software update service option in the electronic  
device, wherein the network initializes the number assignment module in the electronic  
device and, after determining that one of the firmware update service option and the  
software update service option in the electronic device is enabled, initiating download of  
at least one update and updating the at least one of the firmware and software for the  
subscribed services of the electronic device.

10. (Canceled).

11. (Previously presented) A mobile electronic device network adapted to update  
electronic devices and perform over-the-air number assignment module parameter  
provisioning, the network comprising:

an electronic device configured to notify a customer care center to download at  
least one of firmware and software for subscribed services into the electronic device to  
enable use of the subscribed services, the electronic device also comprising number  
assignment module parameters specific to updating one or both of the firmware and  
software for subscribed services, the electronic device being communicatively coupled to  
at least one server; and

wherein presence of support for at least one of a firmware update service option and a software update service option in the electronic device is determinable by the network, wherein when enabled, the presence of support for the at least one of a firmware update service option and a software update service option indicates to the network that the electronic device is capable of updating one of firmware and software, wherein the electronic device is adapted to communicate the presence of support for the one of the firmware update service option and software update service option to the network, and wherein the electronic device is also adapted to communicate device specifications to the network when the network attempts to provision the number assignment module parameters.

12. (Previously presented) The network according to claim 11, wherein the at least one server dispenses at least one of a plurality of updates to the electronic device based upon the presence of support for the one of the firmware update service option and the software update service option and device specifications communicated to the at least one server by the electronic device.

13. (Previously presented) The network according to claim 11, wherein the network is adapted to manage updating at least one of firmware and software based upon the presence of support for the one of a firmware update service option and a software update service option in the electronic device determinable by an over-the-air provisioning function in the network.

14. (Previously presented) The network according to claim 13, wherein the network is adapted to determine a state of the one of the firmware update service option and the software update service option in the electronic device and provision a universal resource locator in the electronic device for at least one server in the network, wherein the at least server is employed to download updates to the electronic device.

15. (Canceled).

16. (Currently amended) A method of updating software in a wireless communication device in a wireless network, the method comprising:

recognizing when the wireless communication device is new to the wireless network and initiating provisioning of the wireless communication device, with subscribed services a user pre-selected when signing up for a network service, if the wireless communication device has not already been provisioned in the wireless network;

determining a value of one of a firmware update service option number and a software update service option number in the wireless communication device by the wireless network during an over-the-air parameter administration operation for programming number assignment module parameters, wherein the one of a firmware update service option number and a software update service option number is a number assignment module parameter specific to updating one or both of firmware and software for the subscribed services; and

downloading one of a firmware update and a software update for the subscribed services from a server in the wireless network, if one of the firmware update service option number and the software update service option number is determined to have a predetermined value.

17. (Cancelled)

18. (Previously presented) The method according to claim 16, wherein the over-the-air parameter administration operation comprises:

paging one of a firmware update service option number and a software update service option number in the wireless communication device;

verifying an identity of the wireless communication device using at least one authentication process; and

responding to the paging, if the wireless communication device is capable of supporting the over-the-air parameter administration operation.

19. (Previously presented) The method according to claim 18, wherein responding to the paging further comprises:

indicating support for one of a firmware update service option and the software update service option by sending one of the firmware update service option number and the software update service option number, if the wireless communication device

supports one of the firmware update service option and the software update service option; and

indicating lack of support for one of the firmware update service option and the software update service option, if the wireless communication device does not support one of the firmware update service option and the software update service option.

20. (Original) The method according to claim 16, wherein downloading comprises:

setting a flag in the wireless communication device indicating availability of an update package for updating the wireless communication device during an over-the-air parameter administration operation changing number assignment module parameters;

sending a universal resource locator identifying at least one server to the wireless communication device during an over-the-air parameter administration operation changing number assignment module parameters; and

retrieving update information from the at least one server based upon the flag.

21. (Original) The method according to claim 16, wherein determining comprises:

receiving a general page message indicating one of a firmware update service option and a software update service option by the wireless communication device;

verifying support of one of the firmware update service option and the software up-date service option by the wireless communication device; and



sending a response to a base station indicating support of one of firmware and software updates when the wireless communication device verifies support of one of the firmware update service option and the software update service option.

22. (Original) The method according to claim 21, wherein verifying further comprises:

paging the wireless communication device for one of a firmware update service option number and a software update service option number;

comparing one of the firmware update service option number and the software update service option number received on one of a stored firmware update service option number and a stored software update service option number in the wireless communication device, to determine a match by the wireless communication device;

responding to the paging, if a match occurs, wherein responding to the paging comprises indicating that the wireless communication device is associated with one of the firmware update service option number and the software update service option number; and

responding to the paging indicating a negative match if a match does not occur.

23. (Canceled).

24. (Currently amended) A mobile electronic device having a non-transitory computer-readable storage and a processor, the computer-readable storage having stored

thereon a computer program having a plurality of code sections enabling over-the-air updating of at least one of firmware and software in an electronic device via a wireless network, the code sections executable by a processor for causing the processor to perform the operations comprising:

    sending a message over the wireless network to a device server for recognizing by the device server when the electronic device is new to the wireless network so that the device server initiates provisioning of the electronic device with subscribed services a user pre-selected if the electronic device has not already been provisioned in the network;

    after the electronic device has been initially provisioned in the new wireless network, then:

        receiving at least one message from a server over the wireless network as part of an over the air parameter administration process for programming number assignment module parameters, the message comprising a service option parameter;

        determining whether a value of the service option parameter corresponds to one of a firmware update service option and a software update service option, wherein the one of a firmware update service option number and a software update service option number is a number assignment module parameter specific to updating one or both of firmware and software; and

        engaging in over the air updating of the at least one of firmware and software of the electronic device via the wireless network, if it is determined that the value of the service option parameter corresponds to the one of a firmware update service option and a software update service option.

25. (Currently amended) The mobile electronic device ~~computer-readable storage~~ according to claim 24, wherein the electronic device is a battery-operated handheld electronic device.

26. (Currently amended) The mobile electronic device ~~computer-readable storage~~ according to claim 25, wherein the electronic device is a cellular telephone.

27. (Currently amended) The mobile electronic device ~~computer-readable storage~~ according to claim 24, wherein the received message is a cellular network message for paging a subscriber telephone.

28. (Currently amended) The mobile electronic device ~~computer-readable storage~~ according to claim 24, wherein the received service option parameter is compatible with the Electronics Industries Alliance (EIA)/Telecommunications Industry Association (TIA) IS-683 standard.

29. (Currently amended) The mobile electronic device ~~computer-readable storage~~ according to claim 24, the operations further comprising:

sending a message over the wireless network indicating the presence of support for the one of a firmware update service option and a software update service option, if it is

determined that the value of the service option parameter corresponds to the one of a firmware update service option and a software update service option.

30. (Currently amended) The mobile electronic device ~~computer-readable storage~~ according to claim 24, the operations further comprising:

verifying the identity of the server to the electronic device using an authentication procedure, prior to engaging in over the air updating.

31. (Previously presented) The network according to claim 1, further comprising a base station, the base station recognizing when the electronic device is new to the network and initiating provisioning of the electronic device with the subscribed services a user selected if the electronic device has not already been provisioned in the network.

32. (Previously presented) The network according to claim 11, further comprising a base station, the base station recognizing when the electronic device is new to the network and initiating provisioning of the electronic device with the subscribed services a user selected if the electronic device has not already been provisioned in the network.

33. (Previously presented) The method according to claim 16, further comprising notifying a customer care center to download at least one of firmware and software for the subscribed services into the wireless communication device to enable use of the subscribed services.

34. (Previously presented) The computer-readable storage according to claim 24, the operations further comprising:

notifying a customer care center to download at least one of firmware and software for the subscribed services into the electronic device to enable use of the subscribed services.